

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Consumers Energy
212 West Michigan Avenue
Jackson, Michigan 49201

ATTENTION: Jack Hansen
Vice President, Generation Engineering and Services

Request to Provide Information Pursuant to the Clean Air Act

The U.S. Environmental Protection Agency is requiring Consumers Energy (Consumers or you) to submit certain information regarding its J.H. Campbell, B.C. Cobb, D.E. Karn, J.C. Weadock, and J.R. Whiting power plants. Appendix A specifies the information that you must submit. You must send this information to EPA within 45 calendar days after you receive this request.

EPA is issuing this information request under Section 114(a) of the Clean Air Act (the Act), 42 U.S.C. § 7414(a). Section 114(a) authorizes the Administrator of EPA to require the submission of information. The Administrator has delegated this authority to the Director of the Air and Radiation Division, Region 5.

Consumers owns and operates the following power plants in Michigan: the J.H. Campbell Plant in West Olive; the B.C. Cobb Plant in Muskegon; the D.E. Karn and J.C. Weadock Plants in Essexville; and the J.R. Whiting Plant in Erie. EPA is requesting this information to determine whether your emission sources are complying with the Act.

You must send all requested information to:

Attn: Compliance Tracker, AE-17J
Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604

Under 40 C.F.R. Part 2, Subpart B, you may assert a business confidentiality claim for any portion of the submitted information. Appendix B specifies the assertion and substantiation requirements for business confidentiality claims. Information subject to a business confidentiality claim is available to the public only to extent allowed under 40 C.F.R. Part 2, Subpart B. Failure to assert a business confidentiality claim makes all submitted information available to the public without further notice.

Consumers must submit all requested information under an authorized signature with the following certification:

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines and imprisonment pursuant to Section 113(c)(2) of the Act, and 18 U.S.C. §§ 1001 and 1341.


EPA may use any information submitted in response to this request in an administrative, civil, or criminal action.

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 et seq., because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic recordkeeping efforts, please provide your response to this request for information without staples. Paper clips, binder clips, and three-ring binders are acceptable.

Failure to comply fully with this request for information may subject Consumers to an enforcement action under Section 113 of the Act, 42 U.S.C. § 7413.

You should direct any questions about this request for information to Ray Cullen at (312) 886-0538.

10/17/08
Date


Cheryl L. Newton
Acting Director
Air and Radiation Division

Appendix A

Consumers Energy must submit the following information regarding its Campbell, Cobb, Karn, Weadock, and Whiting facilities pursuant to Section 114 of the Clean Air Act, 42 U.S.C. § 7414, within 45 calendar days from receipt of this letter:

1. For each electric utility steam generating unit, provide the following:
 - a. the current gross and net generating capacity (MWg/MWn);
 - b. the current maximum heat input capacity (mmBTU/hr);
 - c. the current operating status, and, if inactive or retired, the applicable date;
 - d. scheduled or planned retirement dates;
 - e. current fuel(s) being burned;
 - f. type of particulate emissions control and year installed;
 - g. type of nitrogen oxides (NO_x) emissions control and year installed;
 - h. type of sulfur dioxide (SO₂) emissions control and year installed;
 - i. any anticipated emissions controls and estimated dates of installation.
2. For each currently active electric utility steam generating unit, provide the following on a monthly and annual basis from January 1, 2002, to the date of this request. To the extent available, please provide in computer readable format, such as a Microsoft Excel spreadsheet:
 - a. the capacity factor;
 - b. the equivalent availability factor;
 - c. the current gross and net generation (MW-hr);
 - d. the average heat rate (BTU/KW-hr);
 - e. coal consumption (tons);
 - f. operating hours;
 - g. the fuel quality (i.e., percent sulfur, percent ash, and heat content).
3. For each electric utility steam generating unit, provide a summary of the maximum hourly heat input (mmBTU/hr) achieved during each month of operation from January 1, 2002, to the date of this request.
4. For each currently active electric utility steam generating unit, provide a list of all capital projects of an amount greater than \$100,000, approved or completed between January 1, 2002, and the date of this request. For each such capital project, identify the work performed, the date completed, the project work order number, and the dollar amount approved and/or expended.
5. For any capital project identified in response to Item No. 4, above, that involved the replacement of or partial replacement of boiler tubes, boiler walls, burners, cyclones, economizers, reheaters, pulverizers, or

superheaters, provide a copy of all documents related to and including the following:

- a. outage reports;
 - b. total project cost, including any cost incurred by other owners and/or operators;
 - c. the project completion date;
 - d. the date the unit returned to commercial operation following completion of the capital project, including in-service reports;
 - e. equipment specifications;
 - f. cost/benefit analyses;
 - g. all alternative options analyses;
 - h. a copy of any emissions calculations performed before and after the capital project was completed;
 - i. any engineering analyses, performance test showing original as-built performance and performance for the period immediately prior to and immediately following completion of each capital project;
 - j. any evaluation conducted to verify pre- and post- completion performance of the capital project under any equipment vendor guarantee;
 - k. all work order and work request project completion reports;
 - l. all associated purchase orders;
 - m. whether the capital project was associated with a life extension project, capacity increase, efficiency enhancement, or reliability improvement;
 - n. a copy of all engineering analyses, correspondence, memoranda, phone discussion summaries, and any other communication, including, but not limited to, Board of Directors reports, meeting minutes, and annual reports, that describe the benefits, provides justification for, or otherwise explains the nature, extent, cost, and frequency of each capital project. This request includes all communications both before and after the capital project was undertaken.
6. For each electric utility steam generating unit, provide an electronic (Microsoft Excel compatible) copy of all Generating Availability Data System (GADS) data (or equivalent) from January 1, 2002, to the date of this request. This information should include:
- a. lost generation as a result of forced, maintenance, or scheduled outages (in MW-hrs);
 - b. duration (in hours) of all outages, deratings, and curtailments;
 - c. start date and time of outage;
 - d. end date and time of outage;
 - e. NERC cause code;
 - f. event type;
 - g. event number;

- h. Maximum Net Dependable Capacity (NDC) at the time of the outage or derate.
- 7. Provide copies of the summary results pages of all stack tests for particulate matter, NO_x, and SO₂ from January 1, 2002, to the date of this request for each currently active electric utility steam generating unit.
- 8. For each electric utility steam generating unit, provide copies of all Prevention of Significant Deterioration (PSD)/New Source Review (NSR) permits received and permit applications submitted from January 1, 2002, to the date of this request.
- 9. For each electric utility steam generating unit, provide copies of all documents, including reports, correspondence, memoranda, and phone discussion summaries, related to PSD or NSR applicability for any new construction or modification undertaken between January 1, 2002, and the date of this request.
- 10. For each electric utility steam generating unit, provide copies of all documents, including studies, evaluations, assessments, and reports related to extending the life or increasing the reliability from January 1, 2002, to the date of this request.
- 11. For each electric utility steam generating unit, provide copies of current boiler cross-sectional diagrams.
- 12. For each electric utility steam generating unit, provide copies of all load capacity test data/test reports for each operating unit from January 1, 2002, to the date of this request.

Appendix B

Confidential Business Information (CBI) Assertion and Substantiation Requirements

A. Assertion Requirements

You may assert a business confidentiality claim covering all or part of the information requested in the attached letter, as provided in 40 C.F.R. § 2.203(b). To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document over which you make a claim of confidentiality should be marked by attaching a cover sheet stamped or typed with a legend to indicate the intent to claim confidentiality. The stamped or typed legend, or other suitable form of notice, should employ language such as “trade secret” or “proprietary” or “company confidential” and indicate a date if any when the information should no longer be treated as confidential. Information covered by such a claim will be disclosed by the U.S. Environmental Protection Agency only to the extent permitted and by means of the procedures set forth in Section 114(c) of the Clean Air Act (the Act) and 40 C.F.R. Part 2. Allegedly confidential portions of otherwise nonconfidential documents should be clearly identified. EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as waiver of that claim, and the information may be made available to the public without further notice to you.

Please segregate personnel, medical, and similar files from your responses and include that information on separate sheet(s) marked as “Personnel Privacy Information” given that disclosure of such information to the general public may constitute an invasion of privacy.

B. Substantiation Requirements

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. § 2.208, which provides in part that you satisfactorily show that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; and that the information is not and has not been reasonably obtainable by legitimate means without your consent.

Pursuant to 40 C.F.R. Part 2, Subpart B, EPA may at any time send you a letter asking you to substantiate fully your CBI claim. If you receive such a letter, you must provide EPA with a response within the number of days set forth in the EPA request letter. Failure to submit your comments within that time would be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information. If you receive such a letter, EPA will ask you to specify which portions of the information you consider confidential. **You must be specific by**

page, paragraph, and sentence when identifying the information subject to your claim. Any information not specifically identified as subject to a confidentiality claim may be disclosed to the requester without further notice to you. For each item or class of information that you identify as being subject to CBI, you must answer the following questions, giving as much detail as possible:

- 1) For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
- 2) Information submitted to EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
- 3) What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information still be considered confidential?
- 4) Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
- 5) Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
- 6) For each category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
- 7) Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, explain whether and why disclosure of the information would tend to lessen the availability to EPA of similar information in the future.
- 8) Any other issue you deem relevant.

Please note that emission data provided under Section 114 of the Act, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2. “Emission data” means, with reference to any source of emission of any substance into the air –

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing;

Information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and

A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source).

40 C.F.R. §§ 2.301(a)(2)(i)(A), (B), and (C).

If you receive a request for a substantiation letter from EPA, you bear the burden of substantiating your confidentiality claim. Conclusory allegations will be given little or no weight in the determination. In substantiating your CBI claim(s), you must bracket all text so claimed and mark it “CBI.” Information so designated will be disclosed by EPA only to the extent allowed by, and by means of the procedures set forth in, 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

CERTIFICATE OF MAILING

I, Tracy Jamison, certify that I sent a Request to Provide Information Pursuant to the Clean Air Act by Certified Mail, Return Receipt Requested, to:

Jack Hansen
Vice President, Generation Engineering and Services
Consumers Energy
212 West Michigan Avenue
Jackson, Michigan 49201

I also certify that I sent a copy of the Request to Provide Information Pursuant to the Clean Air Act by First Class Mail to:

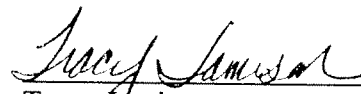
Tom Hess, Enforcement Unit Supervisor
Michigan Department of Environmental Quality
Air Quality Division
525 West Allegan
P.O. Box 30260
Lansing, Michigan 48909-7760

Heidi Hollenbach, District Supervisor
Michigan Department of Environmental Quality
Grand Rapids District Office
State Office Building, 5th Floor
350 Ottawa Avenue NW, Unit 10
Grand Rapids, Michigan 49503-2341

Chris Hare, District Supervisor
Michigan Department of Environmental Quality
Saginaw Bay District Office
503 North Euclid Avenue, Suite 1
Bay City, Michigan 48706-2965

Glen Erickson, District Supervisor
Michigan Department of Environmental Quality
Jackson District Office
301 East Louis Glick Highway
Jackson, Michigan 48906

on the 20 day of OCTOBER 2008.



Tracy Jamison
Office Automation Clerk
AECAS (MI/WI)

Certified Mail Receipt Number: 7001 0320 0006 01861993

standard bcc's: official file copy w/ attachment(s)

other bcc's: Sabrina Argenteri

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